IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5894 OF 2007

1. The State of Maharashtra .. Petitioner
(Orig.Respt)

vs

Shri Appasaheb Babu Shinde .. Respondent
(Complainant)

Mr.D.A.Patil, A.G.P.for Petitioner

Mr.Umesh Mankapure for Respondent

CORAM : Smt.Nishita Mhatre, J

DATED : 9th October, 2007

P.C.

1. The petition challenges the order passed by the Industrial Court in Complaint (ULP) No.76 of 2002. The respondent has filed this complaint under Item 9 of Schedule IV of M.R.T.U. and P.U.L.P.Act contending that the petitioner had failed to implement the award of the Labour Court dated 16th January, 1995 in Reference (IDA) No.32 of 1991. The Industrial Court has concluded that the petitioner has committed unfair labour practice under Item 9 by not providing work to the respondent. It has been found that instead the petitioner had appointed contractors and had alloted work to the juniors of the respondent. In these circumstances, the Industrial Court in my view, has righly held that the petitioner has committed an unfair labour practice. There are no infirmities in the order of the Industrial Court warranting interference by this Court in its writ jurisdiction.

2. Petition rejected.

(Smt Nishita Mhatre, J)